

## **§ 160.58**

### **§ 160.58 Fees for inspection and certification by licensed inspectors.**

Each accredited processor for whom naval stores have been inspected and certified hereunder by a licensed inspector during any calendar month shall on receipt of invoice pay to the Department the fee for each container of naval stores so inspected and certified as may be prescribed by the Administrator.

### **§ 160.59 Appeal inspections.**

Any inspection certificate issued by a licensed inspector may be appealed in writing to the Administrator, such appeal to state the circumstances, the certificate number, and the quantity and certified grade of the naval stores covered thereby. A prompt regrade inspection shall be made by an official inspector other than the original inspector.

### **§ 160.60 Charge for appeal inspection.**

If the findings in an appeal inspection confirm the original inspection, the accredited processor shall pay for such reinspection in accordance with the fees established for original inspections made by inspectors who are paid employees of the Department. If the findings do not confirm the original inspection, a corrected certificate will be issued and no charge will be made for re-inspection.

## **CERTIFICATES AND REPORTS**

### **§ 160.61 Kinds of certificates issued.**

A certificate as provided for by section 4 of the act shall be issued to the interested person in duplicate covering naval stores examined at his request, and additional copies, if desired, may be obtained from the inspector. The kind of certificates issued are as follows:

- (a) Turpentine analysis and classification certificate.
- (b) Turpentine field classification certificate.
- (c) Rosin classification and grade certificate.
- (d) Rosin grade and weight certificate.
- (e) Loan and sale certificate for United States graded rosin.

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(f) Classification and grade certificate for rosin in small containers.

### **§ 160.62 When a certificate may be issued.**

A certificate showing the results of any analysis, classification, or grading shall be issued on any naval stores which conform with a United States Standard as to kind and grade and which have been sampled by or under the direction and supervision of an official inspector in accordance with the provisions in this part. The certificate shall be valid only so long as the naval stores described therein shall remain under seal or in the identical condition obtaining at the time of their examination.

### **§ 160.63 When a certificate may not be issued.**

No certificate shall be issued for naval stores unless the naval stores have been packed, sampled, marked, and identified as required by the provisions in this part, and otherwise conform with the act and such provisions. The results of the examination of such naval stores or anything offered as such may be covered by a written report, which in no case shall be construed as a certificate.

### **§ 160.64 Issuance of loan and sale certificate.**

On request of the owner, a "Loan and Sale Certificate for United States Graded Rosin" (designated "L. S. Certificate" in this part) may be issued to cover any rosin for which a Rosin Classification and Grade Certificate has previously been issued by an official inspector, and which remains in the original container. No inspector shall issue an L. S. Certificate until he has made certain that the rosin had previously been officially inspected and certified. The request for such certificate may be made to the nearest inspector.

### **§ 160.65 Prior certification required.**

If an L. S. Certificate is desired for a quantity of rosin, a part of which has not been previously classified and graded by an official inspector and covered by a certificate, such part shall be so inspected, classified, graded, marked,

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and certified, as provided by the provisions in this part.

### FEES AND CHARGES FOR SERVICES RENDERED

#### § 160.66 Fees for inspection services.

The Administrator shall from time to time establish fees and charges for examination, sampling, classification, grading, analysis and certification of naval stores as he may deem fair and reasonable, and commensurate with the cost of the service rendered. Such fees and charges may be announced to the trade in such manner as the Administrator considers practicable.

#### § 160.67 Fees under cooperative agreements.

Fees and charges for any inspection and grading service covered by the terms of any cooperative agreement with any interested person may be established by and incorporated into such agreement.

#### § 160.68 Collection of fees.

Beginning October 1, 1981, all fees and charges assessed to interested parties for services rendered under the Naval Stores Act shall be collected by the Director, Tobacco Division, Agricultural Marketing Service, to cover insofar as practicable, all costs of providing such services. Such fees shall be credited to the Division in accordance with fiscal regulations of the Department.

[47 FR 3345, Jan. 25, 1982]

#### § 160.69 Expenses to be borne by person requesting service.

All expenses incurred by the United States in connection with the sampling, analysis, classification, or grading of naval stores on request, not otherwise provided for by suitable regulation, shall be borne by the person making the request.

[11 FR 14665, Dec. 27, 1946, as amended at 17 FR 221, Jan. 9, 1952; 20 FR 6433, Sept. 1, 1955. Redesignated at 46 FR 47055, Sept. 24, 1981, as amended at 47 FR 3345, Jan. 25, 1982]

#### § 160.70 Rendition of claims.

As soon as practicable after the end of each month, or sooner if deemed advisable, there shall be mailed to each interested person at whose request any

services have been performed, a claim for payment of moneys due the United States for the services rendered or for the loan or repair of any standards.

[11 FR 14665, Dec. 27, 1946, as amended at 17 FR 221, Jan. 9, 1952; 20 FR 6433, Sept. 1, 1955. Redesignated at 46 FR 47055, Sept. 24, 1981, as amended at 47 FR 3345, Jan. 25, 1982]

#### § 160.71 Delinquent claims.

Any claim remaining unpaid after 30 days from the date of its rendition shall be considered as delinquent, and notice thereof shall be brought to the attention of the interested person. After a claim becomes delinquent, the Administrator shall suspend or deny inspection and related services to any interested party who has failed to make timely payment of the fees and charges assessed, as well as any claims which have been rendered, and shall take such action as may be necessary to collect any amounts due. A deposit in advance sufficient to cover the fees and expenses for any subsequent service may be required of any person failing to pay his claim after issuance of such notice of delinquency.

[11 FR 14665, Dec. 27, 1946, as amended at 17 FR 221, Jan. 9, 1952; 20 FR 6433, Sept. 1, 1955. Redesignated and amended at 46 FR 47055, Sept. 24, 1981; 47 FR 3345, Jan. 25, 1982]

### LOAN AND CARE OF UNITED STATES STANDARDS

#### § 160.73 Availability of standards.

(a) *Standards available on loan.* Duplicates of the United States Standards provided by the Department for classifying and grading rosin in commerce, shall remain the property of the Department, and may be loaned, but not sold, to such interested persons as may be approved by the Administrator. Any interested person desiring the loan of duplicates of the United States Standards for rosin shall submit to the Administrator a form application, properly signed, which will show his interest in naval stores and his eligibility to receive and use such duplicates, in accordance with the provisions in this part. Standards so loaned shall be returned promptly on request.

(b) *Standards available for purchase.* Duplicate cubes for rosin standard